

INITIAL
RECOMMENDATIONS

APRIL 2005 APPLICATIONS TO AMEND THE
COMPREHENSIVE DEVELOPMENT MASTER PLAN

August 25, 2005

Miami-Dade County Department of Planning and Zoning
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INTRODUCTION

This report presents the Department of Planning and Zoning's initial recommendations addressing applications to amend the Comprehensive Development Master Plan (CDMP) which are filed for consideration during the April 2005 Plan amendment review cycle. A total of 27 applications were filed during this amendment cycle, of which 25 were filed by private parties, and 2 (Application Nos. 26 and 27) were filed by the Department of Planning and Zoning (DP&Z). The report also contains necessary background information and analyses on which the recommendations are based.

Chapter 1 of the report contains the recommendations for each application and the descriptions of the seven study areas, Study Areas A through G, in which Applications No. 1 through 24, which seek to amend the Land Use Plan map, are located. Each Study Area describes relevant environmental conditions, land use patterns, and urban services within that study area on which the recommendations are based. The locations of study areas and the applications to amend the Land Use Plan map are presented on Figure 1. Chapter 2 of the report provides information addressing the general planning considerations. Chapter 3 contains the listing of CDMP policies and provisions utilized in the required review of each application's consistency with CDMP policies. Chapter 4 contains an evaluation of fiscal impacts of the applications from the agencies responsible for supplying and maintaining infrastructure services addressed in the CDMP.

Application Review Process and Schedule of Activities

Following is a summary of the Plan review and amendment activities and schedule that will be followed this cycle to comply with the CDMP procedural requirements contained in Section 2-116.1, Code of Miami-Dade County, and with State law. Table 1 on page iv lists the principal activities which will occur under this process and presents the timeframes for those activities in accordance with the State requirements and the County Code.

For this amendment cycle the application filing period extended from April 1 through April 30, 2005. Miami-Dade County's adopted procedures allow the filing of requests to amend all provisions of the Comprehensive Development Master Plan (CDMP) during this time period, including changes to the Urban Development Boundary (UDB).

The CDMP amendment process involves two phases. The first phase occurs between the time applications are filed and the time the Board of County Commissioners conducts its first hearing and takes action to transmit applications to the Florida Department of Community Affairs (DCA) and associated State agencies for possible review and comment, or to adopt eligible small-scale Land Use Plan map amendments on an expedited schedule. During this first phase, affected and neighboring property owners are notified of nearby Land Use Plan map amendment requests. Section 2-116.1 authorizes Community Councils to conduct public hearings and issue recommendations on applications that directly affect their areas, before the Planning Advisory Board acting as the County's "Local Planning Agency" and the Board of County Commissioners conduct their first required public hearings.

The Department of Planning and Zoning will submit its initial recommendations to the Planning Advisory Board (PAB) regarding each requested change, no later than August 25, 2005. Each Community Council in which a proposed amendment to the Land Use Plan map is located is scheduled to hold a public hearing to discuss the Land Use Plan map application(s) and may formulate recommendation(s) regarding the request(s) in September 2005. The PAB is scheduled to hold two public hearings, on October 17 and 24, 2005. The purposes of these PAB hearings will be to receive comments and recommendations on the proposed amendments, and to formulate its recommendations to the Board of County Commissioners regarding adoption of any requested small-scale amendments and regarding transmittal to the Florida Department of Community Affairs (DCA) of all other requested amendments and any small-scale requests that the PAB recommends be considered further through the regular procedure. The Board of County Commissioners is currently scheduled to hold a public hearing on November 21, 2005 to consider taking final action on requested "small-scale" amendments, and to consider transmittal of the other requested amendments to DCA as well as any of the requested "small-scale" amendments that the Commission elects to consider further through the regular procedure. DCA does not review adopted small-scale Land Use Plan map amendments for policy conformance or issue a Notice Of Intent addressing compliance. Unless there is a citizen challenge, adopted small-scale amendments will become effective 31 days after adoption.

"Transmittal" of a proposed amendment to the State for initial review does not constitute adoption of requested amendments. A second phase of the review addressing the standard applications not adopted as small-scale amendments begins after transmittal of the applications to the DCA and associated State agencies. The CDMP amendment procedures in Section 2-116.1 of the County Code provide that the DCA will be requested by the County to review and comment on all transmitted amendment proposals. This is done to provide certainty about the timing of the State's reply, as the State procedure could otherwise make it very difficult to schedule necessary final reports and hearings. The time frame indicated in Table 1 reflects this County procedure. Accordingly, the DCA is expected to return comments addressing all transmitted amendment proposals in February or March 2006. The PAB will then conduct its final public hearing(s) during late March 2006, and the Board of County Commissioners could conduct a public hearing and take final action in April 2006. During the DCA review period, the DP&Z will also review comments received at the transmittal hearings and any additional submitted material and may issue a Revised Recommendations report reflecting any new information prior to the final public hearings. Final action by the Board of County Commissioners will be to adopt, adopt with change, or not adopt each of the transmitted applications.

Outside this regular CDMP amendment process, requests to amend the CDMP can be requested only by the County Commission under special amendment processes, or by a party having an application undergoing the Development of Regional Impact (DRI) process and requesting a concurrent amendment to the CDMP. Procedures for processing such special or DRI-related amendments are established in Section 2-116.1 of the Miami-Dade County Code.

Small-Scale Amendments

A procedure is provided for the expedited processing of "Small-Scale" amendments as defined in Section 163.3187(1)(c), F.S. This procedure authorizes the Board of County Commissioners to take final action on small-scale requests to amend the Land Use Plan Map at its November 21, 2005 public hearing. An amendment application is eligible for expedited processing as "small-scale" amendment under the following conditions:

1. The proposed amendment involves a land use of 10 acres or less and;
2. The cumulative effect of all adopted small-scale amendments shall not exceed a total of 120 acres annually in designated urban areas such as redevelopment and downtown revitalization areas, urban infill areas, transportation concurrency exception areas, and regional and urban activity centers, however a 60 acre annual limitation applies to areas outside these specifically designated urban areas.
3. If the proposed amendment involves a residential land use, the use has a density limitation of 10 units per acre or less, unless the amendment is in a specifically designated urban area listed above;
4. The proposed amendment does not involve the same property more than once a year;
5. The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months;
6. The proposed amendment does not involve a text change to the plan, but only the future land use map; and
7. The proposed amendment is not in an area of critical state concern.

At the November 2005 public hearing, the County Commission could elect to adopt or not adopt small-scale amendments; if it does not adopt a small-scale amendment, the Commission may elect to transmit it to DCA for review along with the other non-small-scale amendment requests and take final action in April 2006, after State-agency review. Of course, failure to adopt as a small-scale amendment or to transmit effectively denies approval of the application.

Additional Information

Anyone having questions regarding any aspect of the CDMP review and amendment process should visit or call the Metropolitan Planning Section of the Miami-Dade County Department of Planning and Zoning at 111 NW 1st Street, Suite 1220; Miami, Florida 33128-1972; telephone 305/375-2835.

Table 1
Schedule of Activities
April 2005 CDMP Amendment Cycle

Application Filing Period	April 1 through April 30, 2005
Applications Report Published by Department of Planning and Zoning	June 5, 2005
Initial Recommendations Report Released by Department of Planning and Zoning	August 25, 2005
Community Council(s) Public Hearing(s) To Formulate Recommendations on Applications Impacting Specific Council's Area:*	Specific date(s) to be set in September 2005
Westchester Community Council (10) Application Nos. 8 and 9	7:00 p.m. Wednesday, September 7, 2005 West Dade Regional Library 9445 Coral Way
West Kendall Community Council (11) Application Nos. 10,11,15, and 17	6:30 p.m. Wednesday, September 7, 2005 Arvida Middle School 10900 SW 127 Avenue
Country Club of Miami Community Council (5) Application Nos. 5, 6, and 7	7:00 p.m. Thursday, September 8, 2005 Lawton Chiles Middle School 8190 NW 197 Street
West Kendall Community Council (11) Application Nos. 12, 13, and 14	6:30 p.m. Wednesday, September 14, 2005 Arvida Middle School 10900 SW 127 Avenue
Redland Community Council (14) Application Nos. 16 and 17	6:30 p.m. Thursday, September 15, 2005 South Dade Government Center 10710 SW 211 Street
North Central Council (8) Application Nos. 2 and 4	6:00 p.m. Wednesday, September 21, 2005 Martin Luther King, Jr. Office Building 2525 NW 62 Street
South Bay Community Council (15) Application Nos. 18, 19, 20, 21, and 22	7:00 p.m. Thursday, September 22, 2005 South Dade Government Center 10710 SW 211 Street
Biscayne Shores Community Council (7) Application No. 3	6:30 p.m. Thursday, September 22, 2005 Phyllis Ruth Miller Elementary School 840 NE 87 Street
Northeast Community Council (2) Application No. 1	7:00 p.m. Monday, September 26, 2005 Dr. Michael M. Krop Senior High School 1410 NE 215 Street
Biscayne National Park Buffer Development Review Committee Hearing To Formulate Recommendations on Applications Impacting Biscayne Bay Application Nos. 23 and 24	6:30 p.m. Monday, September 26, 2005 South Dade Government Center 10710 SW 211 Street
Planning Advisory Board (PAB) acting as Local Planning Agency (LPA) Hearings to Formulate Recommendations Regarding Adoption of Small-Scale Amendments and Transmittal of Standard Amendment Requests to Florida Department of Community Affairs (DCA)	October 17 and 24, 2005 County Commission Chamber 111 NW 1st Street
Board of County Commissioners Hearing and Action on Adoption of Small-Scale Amendments and Transmittal of Standard Amendment Requests to DCA	November 21, 2005* County Commission Chamber 111 NW 1 Street
Transmittal to DCA for Comment	December, 2005
Deadline for Filing Supplementary Reports by the Public	Forty-five (45) days after Commission transmittal hearing
Receipt of DCA Comments	February 2006** (Approximately 75 days after transmittal)

Public Hearing(s) and Final Recommendations: Planning
Advisory Board (Local Planning Agency)

Specific date(s) to be set during February or
March 2006** (within 30 days after DCA
comments received)

Public Hearing(s) and Final Action on Applications: Board of
County Commissioners

Specific date(s) to be set in March or April
2006** (No later than 60 days after receipt of
DCA comments)

*

Date is currently scheduled but subject to change. All hearings will be noticed by newspaper advertisement.

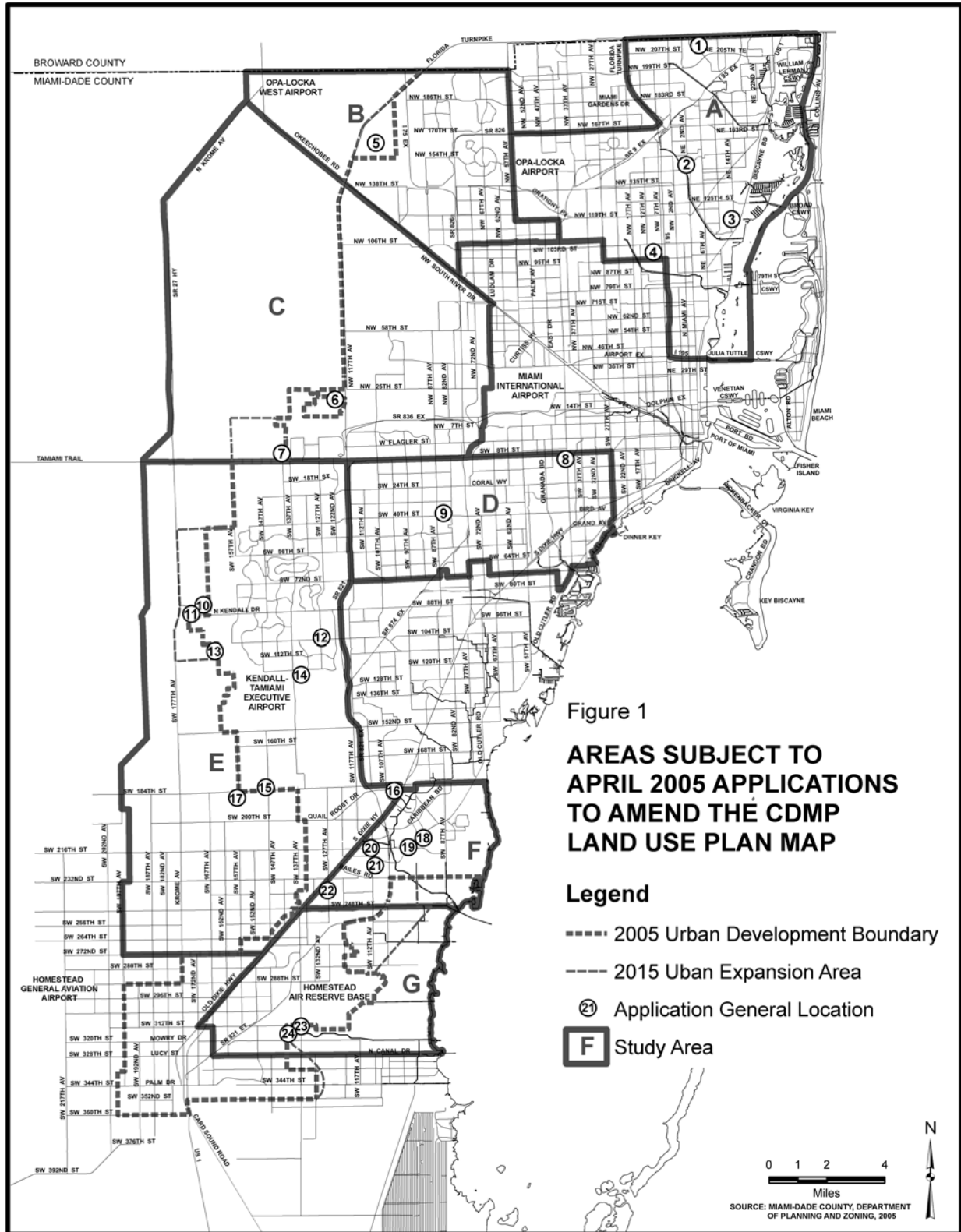


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